



Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Second Meeting Day

Monday Morning

January 8, 2001

The House convened at 10:00 a.m. with the Speaker in the Chair.

The invocation was offered by Representative Susan R. Crosby.

The Pledge of Allegiance to the Flag was led by Representative Chester F. Dobis.

The Speaker ordered the roll of the House to be called:

T. Adams	Hoffman
Aguilera	Kersey
Alderman •	Klinker
Atterholt	Kromkowski
Avery	Kruse
Ayres	Kruzan
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Bosma	Mahern
Bottorff	Mangus
C. Brown •	Mannweiler
T. Brown	McClain
Buck	Mellinger
Budak	Mock
Buell	Moses
Burton	Munson
Cheney	Murphy
Cherry •	Oxley
Cochran	Pelath U
Cook	Pond
Crawford	Porter
Crooks	Richardson
Crosby	Ripley
Day •	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dillon	Scholer
Dobis	M. Smith
Dumezich	V. Smith
Duncan	Steele
Dvorak	Stevenson
Espich	Stilwell
Foley	Sturtz
Frenz	Summers
Friend	Thompson
Frizzell	Tincher
Fry	Torr
GiaQuinta	Turner
Goeglein	Ulmer
Goodin	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins U
Herndon	D. Young
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 2: 94 present; 4 excused; 2 absent. The Speaker announced a quorum in attendance. [NOTE: • indicates those who were excused and U indicates those who were absent.]

[Journal Clerk's Note: The House had been scheduled to convene

at 1:00 p.m., but, by agreement of the two political parties, convened at 10:00 a.m. to receive the official election returns for governor and lieutenant governor.

Before the House convened, Chief Justice Randall T. Shepard administered the oath of office to Representative Gary Dillon, District 50, Huntington and Whitley Counties, who was excused from the organizational meeting on November 21, 2000.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 9, 2001, at 1:00 p.m.

CHENEY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 1

The Speaker handed down Senate Concurrent Resolution 1, sponsored by Representatives Kruzan and Bosma:

A CONCURRENT RESOLUTION to honor Carolyn J. Tinkle for 26 years of distinguished service to the Indiana General Assembly and to offer congratulations on her retirement from the Indiana State Senate.

Whereas, Carolyn J. Tinkle is retiring from the Indiana State Senate upon the conclusion of this year after 26 years of dedicated service to the Indiana General Assembly;

Whereas, Carolyn began her career of service to the Indiana General Assembly in 1974 as a session employee for the Indiana State Senate;

Whereas, Carolyn has continued to serve the Indiana State Senate in various capacities which include Secretary to the Minority Caucus Chairman, Secretary to the Majority Caucus Chairman, Secretarial Supervisor and Executive Secretary to the President Pro Tempore;

Whereas, Carolyn's career of service to the Indiana General Assembly culminated in her election to the office of Principal Secretary of the Indiana State Senate in 1985;

Whereas, upon her retirement, Carolyn will have served eight terms as Principal Secretary, the longest term of service for any Principal Secretary to the Indiana State Senate;

Whereas, Carolyn's dedicated service to the Indiana State Senate is further evidenced by her involvement with the National Conference of State Legislatures in Denver, Colorado, currently as Senate Liaison and previously as a member of the Executive Committee of the Leadership Staff Section of NCSL;

Whereas, in addition to her contributions to the Indiana State Senate, Carolyn has served the American Society of Legislative Clerks and Secretaries (ASLCS) in various capacities. Since joining this organization in 1985, Carolyn has held the positions of Chairman of the Roster Committee, Editor of the Administrator, Chairman of the Membership Committee, Member of the Executive Committee, Secretary-Treasurer and President-elect.

Whereas, Carolyn served as President of the American Society of Legislative Clerks and Secretaries in 1992 and 1993 and is currently a permanent Ex-Officio Member of the Executive Committee;

Whereas, Carolyn's accomplishments have been recognized by her receipt of numerous awards, including the Sagamore of the Wabash from Governor Robert D. Orr, the State of Kentucky's Kentucky Colonel Award and the State of Tennessee's Tennessee Volunteer Award;

Whereas, in addition to the numerous contributions made to the Indiana General Assembly throughout her career, Carolyn and her husband Charles E. "Chico" Tinkle, have always held their family as their highest priority. They are the proud parents of three children and grandparents of six wonderful grandchildren;

Whereas, Carolyn J. Tinkle, having dedicated a 26 year career to serving the Indiana General Assembly, is regarded with the highest esteem by all members and staff of the General Assembly and will be greatly missed: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana State Senate and House of Representatives hereby congratulate Carolyn J. Tinkle on her retirement after 26 years of service to the Indiana General Assembly.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to Carolyn J. Tinkle, her husband, Charles E. Tinkle, and their children.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Concurrent Resolution 3

Representatives Kruzan and Bosma introduced House Concurrent Resolution 3:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twelfth General Assembly of the State of Indiana.

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That a joint convention of the Senate and the House of Representatives be convened, to meet in the Chambers of the House of Representatives at 10:30 a.m. on Monday, January 8, 2001, for the purpose of having the returns of the election of the Governor and Lieutenant Governor held on November 7, 2000, published and to witness the inaugural ceremonies of the Governor and Lieutenant Governor and the Speaker is hereby directed to appoint a committee of three members of this House, to transmit this resolution to the Senate and report to this House such action as the Senate may take thereon.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Garton and R. Young.

The Speaker appointed Representatives Cochran, V. Smith, and M. Smith.

COMMITTEE REPORT

Mr. Speaker: Your Committee, appointed to transmit to the Senate a concurrent resolution convening a joint convention of the two houses to publish the votes for Governor and Lieutenant Governor and to witness the inaugural ceremonies for Governor and Lieutenant Governor, hereby reports that it has discharged the duty assigned to it and the Senate has concurred in the resolution and will meet with the House in joint convention in the hall of the House of Representatives, at the hour of 10:30 a.m., January 8, 2001.

COCHRAN
V. SMITH
M. SMITH

Report adopted.

The House recessed awaiting the Senate for a joint convention to hear the canvass of votes cast for Governor and Lieutenant Governor.

JOINT CONVENTION

Speaker Gregg delivered the gavel to the President Pro Tempore of the Senate, Senator Robert D. Garton, who called the joint convention to order and addressed the members as follows:

Members of the Joint Convention: The two Houses of the General Assembly have convened in Joint Convention in order to publish the returns of the election for Governor and Lieutenant Governor held on November 7, 2000.

The President Pro Tempore yielded the gavel to the Speaker who addressed the members as follows:

Members of the Joint Convention: In accordance with the law, IC 3-12-5-5, each Circuit Court Clerk has prepared and delivered to the Speaker of the House of Representatives certified statements of the number of votes received by each candidate for the office of Governor and Lieutenant Governor at the general election held on November 7, 2000. The votes cast in each of the 92 counties have been totaled and show the following:

For Frank O'Bannon and Joseph E. Kernan	1,232,525
For Andrew Horning and Mark Schreiber	38,458
For David McIntosh and J. Murray Clerk	908,285
For Paul Wilson and Richard A. Crawford (write-in)	145

Frank O'Bannon and Joseph E. Kernan received the highest number of votes cast for the offices of Governor and Lieutenant Governor, respectively. By virtue of the powers vested in the office of the Speaker of the House of Representatives, I hereby declare and certify in the presence of both Houses and before the public that Frank O'Bannon was duly elected Governor of the State of Indiana and Joseph E. Kernan was duly elected Lieutenant Governor of the State of Indiana for a term of four years beginning on Monday, January 8, 2001.

This announcement shall be deemed a sufficient declaration of the persons elected Governor and Lieutenant Governor and shall be entered, with a list of the votes, in the Journals of the House of Representatives and the Senate.

COUNTIES	REPORT OF VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR			
	Democratic Party O'Bannon Kernan	Libertarian Party Horning Schreiber	Republican Party McIntosh Clark	Reform Party* Wilson Crawford
Adams	6471	216	5864	
Allen	58139	2375	53401	
Bartholomew	13526	480	11857	
Benton	2019	70	1797	
Blackford	2885	90	1891	
Boone	7927	538	9776	3
Brown	3818	218	2780	2
Carroll	4356	131	3771	1
Cass	7711	266	6998	
Clark	24455	363	12258	
Clay	6173	130	3807	
Clinton	5289	217	5411	
Crawford	2714	42	1426	
Daviess	4319	94	5242	
Dearborn	8737	323	8250	
Decatur	4638	176	4333	2
Dekalb	6819	227	6599	1
Delaware	26896	789	16200	6

Dubois	8093	111	6790	
Elkhart	24803	545	28829	4
Fayette	4639	126	3783	
Floyd	19660	239	10140	
Fountain	3845	118	3295	
Franklin	4177	118	3876	
Fulton	4533	98	3745	
Gibson	8176	141	5429	
Grant	13674	355	12132	
Greene	7304	147	4885	
Hamilton	30093	1889	43415	7
Hancock	11096	673	11066	4
Harrison	10168	146	4655	
Hendricks	17303	986	21828	
Henry	10165	308	7830	
Howard	18672	588	14862	3
Huntington	6610	234	7544	2
Jackson	8221	176	6250	
Jasper	5520	120	5364	1
Jay	4391	140	3473	
Jefferson	7293	129	4301	4
Jennings	5249	135	4086	2
Johnson	19636	1021	21385	2
Knox	9619	154	5063	2
Kosciusko	10035	390	14748	
LaGrange	4195	101	4012	2
Lake	122784	1651	47859	
LaPorte	25816	560	13026	3
Lawrence	7436	219	8336	
Madison	30210	849	21189	3
Marion	163077	8509	105281	31
Marshall	8555	122	7412	
Martin	2465	68	2040	
Miami	6209	192	6255	
Monroe	24033	1227	14299	13
Montgomery	6570	280	6263	
Morgan	10018	559	11335	
Newton	3035	96	2311	
Noble	7081	215	6866	
Ohio	1399	27	1026	
Orange	4004	78	3281	
Owen	3474	172	2805	
Parke	3762	96	2556	
Perry	4902	61	2382	
Pike	3630	84	2504	
Porter	36444	736	21575	21
Posey	6614	125	4284	
Pulaski	2748	53	2510	
Putnam	6273	254	5275	1
Randolph	5346	142	4583	
Ripley	5587	157	4839	
Rush	3744	187	3339	
Scott	5445	80	2267	
Shelby	8106	335	6774	
Spencer	5233	70	3660	
St. Joseph	60608	681	34699	
Starke	5171	87	3108	
Steuben	5972	199	5069	
Sullivan	5215	71	2626	
Switzerland	1965	54	1174	2
Tippecanoe	25798	1032	18896	12
Tipton	3602	128	3466	
Union	1322	32	1423	2
Vanderburgh	39533	751	25267	4
Vermillion	4566	111	1912	
Vigo	24017	595	11452	3
Wabash	6215	172	6365	
Warren	2065	43	1646	
Warrick	12647	250	9193	1
Washington	5751	156	3859	
Wayne	13061	296	11617	1

Wells	5244	208	5825	
White	5385	154	4328	
Whitley	6326	301	5781	
TOTAL	1,232,525	38,458	908,285	145

* The Reform Party candidates were write-in candidates.

Joint Convention Resolution 1

Representative Bodiker introduced Joint Convention Resolution 1:

A JOINT CONVENTION RESOLUTION to appoint a committee to wait upon the Governor and Lieutenant Governor.

Be it resolved:

SECTION 1. That a committee consisting of four members of the House, to be appointed by the Speaker, and four members of the Senate, to be appointed by the President Pro Tempore, to wait upon Frank O'Bannon, Governor, and Joseph Kernan, Lieutenant Governor, respectively, to inform them that they have been re-elected Governor and Lieutenant Governor, respectively, to ascertain from them at what time it will be convenient for them to take the oath of office, and to report thereon to the two Houses of the General Assembly; and when the joint convention for the administration of the oath of office is assembled, the committee hereby created shall conduct the Governor and the Lieutenant Governor to the speaker's stand.

The resolution was read a first time and adopted by voice vote. The Speaker appointed Representatives Crawford, Moses, Herndon, and Hinkle. The President Pro Tempore appointed Senators Landske, Zakas, Sipes, and Hume.

COMMITTEE REPORT

Mr. Chairman: Your Committee, appointed to wait upon Frank O'Bannon, Governor, and Joseph Kernan, Lieutenant Governor, to inform them that they have been declared duly re-elected Governor and Lieutenant Governor, respectively, and to ascertain from them at what time it will be convenient for them to take the office of office as prescribed in Article 15, Section 4 of the Constitution of the State of Indiana, hereby reports that it has discharged the duties assigned to it and that the Governor and Lieutenant Governor will take the oath of office and enter upon the discharge of their duties at 11:30 a.m. on January 8, 2001.

CRAWFORD	LANDSKE
MOSES	ZAKAS
HERNDON	SIPES
HINKLE	HUME
Committee of the House	Committee of the Senate
Report adopted.	

JOINT CONVENTION MOTION

Mr. Chairman: I move that the Joint Convention do now recess for the purpose of attending the inaugural ceremonies for the Governor and Lieutenant Governor immediately after which the Joint Convention shall be adjourned and the members of the House of Representatives and the members of the Senate will return to their respective chambers.

BISCHOFF

Motion prevailed.

The joint convention recessed.

INAUGURAL ADDRESS OF GOVERNOR FRANK O'BANNON

What an extraordinary day. The start of a new millennium, a new century and a new term in state government...and you.

Welcome to all of you—all 25,000 of Indiana's finest 4th grade students and your support team—teachers, principals, parents, friends and state employees.

This is a “we” sort of life we all live...in communities with people in nature and people amidst what they create and build. We are united by something that is much deeper than politics and political ideology. And together, we find what we want to become in the future and what path we will take to get there.

Judy and I are fortunate once again to be here today and share with you our hope and optimism for the future of Indiana. Let me recognize my partner and best friend, my wife Judy.

I have been honored to serve Indiana. I have been blessed with wonderful children and grandchildren. We are not just honored and blessed, but deeply humbled to serve Indiana at the beginning of this new Millennium.

I’ve always found my reason for doing things and my strength to do them must come from a being far greater than I. That for me is my creator and sustainer, and therefore, I humbly and gratefully accept the role of servant leader.

Four years ago, as I took the oath of office, outside, in the middle of January, I talked about a new beginning. A new beginning with fresh challenges and a wealth of new opportunities.

Today, inside again in the middle of January, I want to talk about the importance of community as we face these fresh challenges and embrace the new opportunities of the 21st century.

Before us lies a future filled with change—a period unlike any other. Change that is no longer seen as unusual, but instead expected.

One change is new technology. Technology has opened new frontiers and provided many limitless opportunities to learn and explore new worlds.

Technology offers promise to improvements in our daily lives: from opening our classrooms to the world, to improving our environment, to offering new medical advancements, or transforming the way we do business through e-commerce.

You know, 200 years ago this past July 4th, this land became the Indiana Territory. In just 16 short years, those often separated and independent pioneers forged a union called a state. They did it without fax machines, cell phones, and e-mail. But they did have a commitment to community and they made it a reality. Now as we stand on the threshold of our state’s 200th birthday in 2016, just imagine what we can do in the same period of time—16 years.

So while we explore new possibilities we must still remember what makes us strong. Our commitment to one another—a commitment to community.

I believe our commitment starts with education. Education is the foundation for a better future that expands the horizons for every Hoosier regardless of age.

I pledged four years ago that education would be my number one priority, and it has been. Indiana is on track to have the highest math, English and science standards in the country. Schools are held accountable for improvement. And character is being taught in the classroom. But there is still more to be done.

We must give every student the best teachers Indiana has to offer, by supporting them and giving them the tools for quality teaching. You know, I made over 100 school visits in my first term as Governor, including some of yours, and I have seen first hand the wonderful work your teachers do for the children of Indiana. Will you fourth graders please stand and join me in thanking our teachers with a round of applause?

As Governor I am often reminded about the great potential Hoosiers have to offer. I see it in the sparkle of a child just learning to read. A painting from one of our Indiana artists hanging in the Governor’s residence. The imagination in many of our entrepreneurs running our new high tech businesses. But to see it, we have to open our eyes to the talent we are blessed with in the state.

I am also reminded how our needs, desires, and wants are best fulfilled by being a community. A community in which we come together and support each other.

In the past few months, we have heard a great deal of talk about the pros and cons of government as a positive and effective force. Some people even ask, what good does government really serve?

While I was home over the holidays, I saw an answer to that question played out in the simple world surrounding a bird feeder.

Birds were feeding on some seed we put out. There were a number of different types—sparrows, gold finches, junks and cardinals—all pecking and eating along side each other. Then came a blue jay. He flapped his wings and chased the other birds away and then stood alone on the feeding station and gobbled the seeds. His eating was interrupted only by his nervousness that he remain the only bird at the feeder. Meanwhile the other birds stood at a distance separated and hungry.

I guess life always has barriers and events that act as the blue jay. They disrupt and prevent people from participating. They determine conditions and actions. And, if that weren’t the case, then I guess we wouldn’t need a thing called government. But, like the bird feeder, we have a diversity of people and we all need to participate. Government is the institution that helps balance the needs, opportunities and responsibilities.

As a community, I believe Indiana faces many challenges. We must all strive for continuous improvement. But we must remain a community that respects our differences and works towards a common good. Better schools, a strong economy, and a government we can trust.

Abraham Lincoln put it best, “we are not enemies, but friends. We must not be enemies. While our passions may strain, they must not break our bonds of affection.”

The Indiana of the 21st Century must be a place that invites all and includes all—a land that embraces everyone, and is enriched by our tremendous asset of diversity.

Like the bird feeder, we all need to participate. Our constitutions, which I swear today to uphold, rule by law our state and country, by bringing order and freedom to all our people.

As I take this oath, I have one role and you have another. But if we don’t work together, we will be in the same situation as the blue jay found himself: alone. Without the opportunities and support that come in a community. Or, we could be as the other birds, deprived of the resources that nourish our lives.

I am optimistic about our future. I have personally witnessed the many gifts every Hoosier possesses. And to the fourth graders studying Indiana history, I want to say that I hope future generations will look at this chapter and conclude we answered the call for a better community.

RECESS

MONDAY AFTERNOON

5:15 p.m.

The House reconvened with the Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1002 — Weinzapfel (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

HB 1004 — Hasler, Ayres (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1005 — Hasler (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1006 — Hasler (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1007 — Hasler, Becker (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1008 — Cook (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1009 — Cook (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1010 — Cook (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning school transportation.

HB 1011 — Cook (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1012 — Cook (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1013 — Cook (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

HB 1014 — Dvorak (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1015 — Dvorak, Foley (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1016 — Dvorak (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1017 — Crooks (Commerce, Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1018 — Crooks (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

HB 1019 — Crooks (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1020 — Goeglein, Crawford, Day, Crosby (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.

HB 1021 — V. Smith, C. Brown (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1022 — V. Smith, Summers (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning civil rights.

HB 1023 — Ulmer (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1024 — Ulmer (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1025 — Avery (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1026 — V. Smith, Liggett (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1027 — V. Smith, Crosby (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1028 — V. Smith, Klinker, Ayres (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1029 — V. Smith, Tincher, Pond (Commerce, Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1030 — V. Smith, Tincher, Pond (Commerce, Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1031 — V. Smith, Frenz, T. Adams, Budak (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1032 — V. Smith (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1033 — V. Smith (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1034 — V. Smith (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1036 — V. Smith, C. Brown (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1037 — V. Smith (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

HB 1038 — V. Smith, Becker, Klinker (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1039 — V. Smith, Scholer, Bodiker (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1040 — Oxley, Denbo, Stilwell (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1041 — Oxley (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1042 — Denbo, Crawford, C. Brown (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1043 — Denbo (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local government.

HB 1044 — Denbo (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1045 — Denbo (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1046 — Mock, Klinker (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance and to make an appropriation.

HB 1047 — Duncan (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1048 — Duncan (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1049 — Duncan (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1050 — Duncan (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1051 — Stilwell (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

HB 1052 — Stilwell (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1053 — Stilwell (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1054 — Stilwell (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

HB 1055 — Duncan (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1056 — Duncan (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1057 — Mangus (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1058 — Mangus (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1059 — Mangus (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1060 — Mangus (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1061 — Kruse (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1062 — Tincher (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1063 — Tincher (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1064 — Tincher (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

HB 1065 — Stilwell (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1066 — Crooks (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1067 — Frizzell (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning tort liability.

HB 1068 — Avery (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1069 — Liggett (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1070 — Avery (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1071 — Ulmer (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1072 — Ulmer (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1073 — Hasler (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1074 — Lytle, Pond, Sturtz, Mangus (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1075 — Lytle (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1076 — T. Brown (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning child care.

- HB 1078** — Saunders, Denbo (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1079** — Saunders, Stevenson (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- HB 1080** — Mock (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.
- HB 1081** — Kuzman (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1082** — Kuzman (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- HB 1083** — Cheney (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1084** — Cheney (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- HB 1085** — Cheney (Labor and Employment)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.
- HB 1086** — Cheney (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1087** — Duncan (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.
- HB 1088** — Duncan (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.
- HB 1089** — Duncan (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1090** — Duncan (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1091** — Duncan, Summers (Human Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- HB 1092** — Bodiker (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure and criminal law and procedure.
- HB 1093** — Bodiker (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1094** — Bodiker (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1095** — Cook (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.
- HB 1096** — Bauer (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

- HB 1097** — Stilwell (Commerce, Economic Development and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- HB 1098** — Stilwell (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1099** — Stilwell (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- HB 1100** — Crooks (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.
- HB 1101** — Murphy (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.
- HB 1102** — Murphy (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning education finance.
- HB 1103** — Murphy (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- HB 1104** — Buell (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.
- HB 1105** — Hasler (Commerce, Economic Development and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.
- HB 1106** — Steele, Duncan (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1107** — Kuzman (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1108** — Tincher (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- HB 1109** — Tincher (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1110** — Tincher (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1111** — Tincher (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.
- HB 1112** — Tincher (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1113** — Grubb (Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

HJR 1 — Ulmer (Agriculture, Natural Resources and Rural Development)

A JOINT RESOLUTION proposing an amendment to Article 1 of the Constitution of the State of Indiana concerning the bill of rights.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Twelfth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Sec. 38. The people have a right to hunt, fish, and harvest game, subject to the regulations and restrictions as the General Assembly may prescribe by general law.**

HJR 2 — Saunders (Elections and Apportionment)

A JOINT RESOLUTION proposing an amendment to Article 4 of the Constitution of the State of Indiana concerning the general assembly.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Twelfth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 4, SECTION 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 1. (a) The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives.

(b) **The term of a General Assembly begins on the first Wednesday after the first Monday in November of each even-numbered year and ends on the first Wednesday after the first Monday of November of the following even-numbered year.**

(c) The style of every law shall be: "Be it enacted by the General Assembly of the State of Indiana"; and no law shall be enacted, except by bill.

SECTION 3. ARTICLE 4, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. (a) **Senators shall be elected and serve as follows:**

(1) **Senators elected before November 7, 2006, shall be elected for a term of four years, and beginning the day after the general election.**

(2) **At the general election held November 7, 2006, successors to the Senators elected at the 2002 general election shall be elected and serve as follows:**

(A) **Seventeen Senators, chosen randomly as provided by law, shall be elected for a term of four years, beginning November 8, 2006.**

(B) **Eight Senators, chosen randomly as provided by law, shall be elected for a term of six years, beginning November 8, 2006.**

(3) **At the general election held November 4, 2008, successors to the Senators elected at the 2004 general election shall be elected and serve as follows:**

(A) **Nine Senators, chosen randomly as provided by law, shall be elected for a term of four years, beginning November 5, 2008.**

(B) **Sixteen Senators, chosen randomly as provided by law, shall be elected for a term of six years, beginning November 5, 2008.**

(4) **At the general election held November 2, 2010, the successors of the Senators elected under subdivision (2)(A) shall be elected for a term of six years, beginning November 3, 2010.**

(5) **At the general election held November 6, 2012, the successors of the Senators elected under subdivision (2)(B) and the successors of the Senators elected under subdivision (3)(A) shall be elected for a term of six years, beginning**

November 7, 2012.

(6) At each general election held after 2012, Senators shall be elected for a term of six years, beginning the day after the general election.

(b) Representatives shall be elected and serve as follows:

(1) Representatives elected before November 7, 2006, shall be elected for a term of two years, from beginning the day next after their the general election. One half of the Senators, as nearly as possible, shall be elected biennially.

(2) Beginning with the general election held November 7, 2006, Representatives shall be elected for a term of four years, beginning the day after the general election.

SECTION 4. ARTICLE 4, SECTION 5 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 5. ~~The General Assembly elected during Before January 1 of the third year in which after the year of a federal decennial census, is taken;~~ **The General Assembly shall fix by law the number of Senators and Representatives and apportion them among districts according to the number of inhabitants in each district, as revealed by that federal decennial census. The territory in each district shall be contiguous.**

HJR 3 — Frizzell (Ways and Means)

A JOINT RESOLUTION proposing an amendment to Articles 4 and 5 of the Indiana Constitution concerning taxation.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendments to the Constitution of the State of Indiana are proposed and agreed to by this, the One Hundred Twelfth General Assembly of the State of Indiana, and are referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 4, SECTION 25 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 25. (a) **Except as provided in subsection (b), a majority of all the members elected to each House shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed shall be signed by the Presiding Officers of the respective Houses.**

(b) A bill that increases state tax rates or establishes a new state tax may not become law unless:

(1) at least two-thirds of the members elected to each House:

(A) declare that an emergency exists; and

(B) vote to approve the bill; or

(2) a majority of the persons voting in a statewide election approve the tax increase or new tax.

SECTION 3. ARTICLE 5, SECTION 14 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 14. (a) Every bill which shall have passed the General Assembly shall be presented to the Governor. The Governor shall have seven days after the day of presentment to act upon such bill as follows:

(1) He may sign it, in which event it shall become a law.

(2) He may veto it:

(A) In the event of a veto while the General Assembly is in session, he shall return such bill, with his objections, within seven days of presentment, to the House in which it originated. If the Governor does not return the bill within seven days of presentment, the bill becomes a law notwithstanding the veto.

(B) If the Governor returns the bill under clause (A), the House in which the bill originated shall enter the Governor's objections at large upon its journals and proceed to reconsider and vote upon whether to approve the bill. The bill must be reconsidered and voted upon within the time set out in clause (C). If, after such reconsideration and vote, a majority of all the members elected to that House shall approve the bill, it shall be sent, with the Governor's objections, to the other House, by which it shall likewise be reconsidered and voted upon, and, if approved by a majority of all the members elected to that House, it shall be a law.

(C) If the Governor returns the bill under clause (A), the General Assembly shall reconsider and vote upon the approval of the bill before the final adjournment of the next regular session of the General Assembly that follows the regular or special session in which the bill was originally passed. If the House in which the bill originated does not approve the bill under clause (B), the other House is not required to reconsider and vote upon the approval of the bill. If, after voting, either House fails to approve the bill within this time, the veto is sustained.

(D) In the event of a veto after final adjournment of a session of the General Assembly, such bill shall be returned by the Governor to the House in which it originated on the first day that the General Assembly is in session after such adjournment, which House shall proceed in the same manner as with a bill vetoed before adjournment. The bill must be reconsidered and voted upon within the time set out in clause (C). If such bill is not so returned, it shall be a law notwithstanding such veto.

(3) He may refuse to sign or veto such bill in which event it shall become a law without his signature on the eighth day after presentment to the Governor.

(b) Every bill presented to the Governor which is signed by him or on which he fails to act within said seven days after presentment shall be filed with the Secretary of State within ten days of presentment. The failure to so file shall not prevent such a bill from becoming a law.

(c) In the event a bill is passed over the Governor's veto, such bill shall be filed with the Secretary of State without further presentment to the Governor, provided that, in the event of such passage over the Governor's veto in the next succeeding General Assembly, the passage shall be deemed to have been the action of the General Assembly which initially passed such bill.

(d) Notwithstanding subsection (a), a bill that increases state tax rates or establishes a new state tax does not become law over the veto of the Governor unless two-thirds of the members elected to each House approve the bill after reconsideration.

HJR 4 — Avery (Elections and Apportionment)

A JOINT RESOLUTION proposing an amendment to Article 15, Section 3 of the Constitution of the State of Indiana concerning state officers.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Twelfth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 15, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. ~~Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that (a) Any officer, other than a member of the General Assembly, shall hold his office for any given the term the same shall be construed to mean; that such officer shall hold his office for such term; and until his successor shall have been elected and qualified: provided in this Constitution or specified by law.~~

(b) If no successor is elected and qualified on the date an officer's term ends, the office is considered vacant, and the General Assembly shall specify how the office shall be filled.

OTHER BUSINESS ON THE SPEAKER'S TABLE

On the motion of Representative Scholer the House adjourned at 5:20 p.m., this eighth day of January, 2001, until Tuesday, January 9, 2001, at 1:00 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives